

Reporting Unsafe/Unhealthful Working Conditions

OPNAV 5100/11

Background

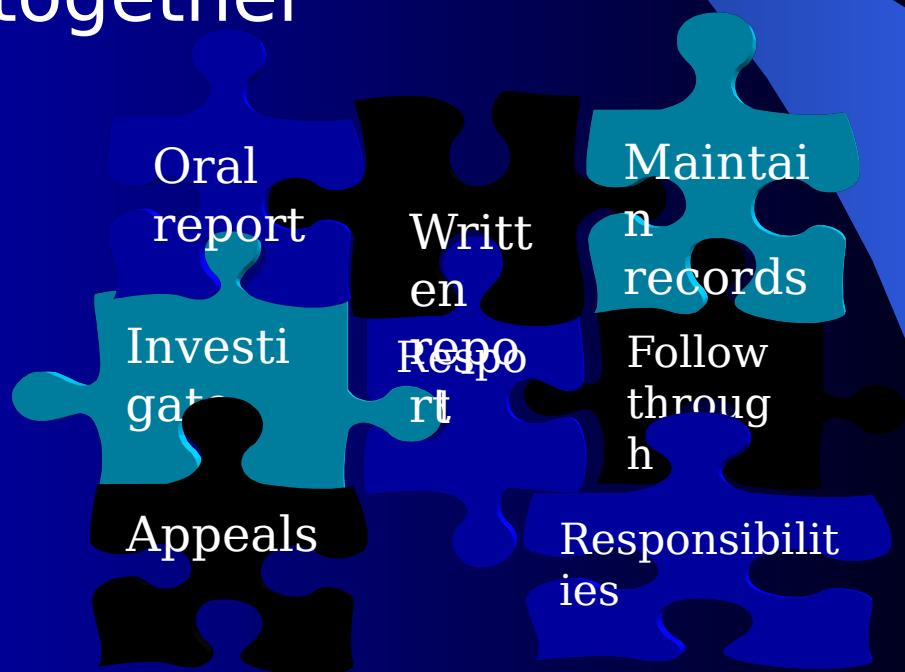
- Based on OSH Act of 1970 requiring employers to provide workplaces free from serious recognized hazards and to comply with occupational safety and health standards.
- By Presidential Executive Order, federal agencies must maintain an effective safety and health program that meets the same standard as private employers. But federal agencies cannot be fined for violating health and safety standards.

Agenda

- Hazard Reporting
- Appeals
- Reports to OSHA
- Responsibilities

Overview

- Navy policy is to provide a safe and healthful workplace to all personnel
- How it all fits together



Hazard Reporting

- Immediately report unsafe or unhealthy working conditions- many problems can be eliminated as soon as identified.
- Oral reports given to supervisors. Investigate, take corrective actions, seek assistance from activity OSH office. Inform reporting person of actions taken.

Hazard Reporting

- Written reports submitted using OPNAV 5100/11. May remain anonymous if desired. Employees may make oral report to OSH office.
- OSH office shall investigate all reports (alleged imminent danger within 24 hours, serious within 3 days) Health hazards referred to medical.
- OSH office shall provide response in writing within 10 days.
- Handle grievances separately from hazard reporting.
- Maintain records for at least 5 years from final action.

Appeals



- If dissatisfied with assessment or action taken confer with OSH office.
- Still dissatisfied, submit written appeal to activity CO. Include description of hazard, how, when, and to whom report was submitted. Explain why actions taken are unsatisfactory.
- Activity CO respond within 10 days, include office and address of next higher level of appeal.

Appeals

- If dissatisfied with the action taken, file an appeal.
- Still not satisfied? Appeal to the descision and the explanatory statement. Explain the unsatisfactory action.
- Active duty personnel, including higher-ups, may file an appeal.

The sequence of appeals shall be through Echelon Four, Three or Two, the Chief of Naval Operations (CNO) (N454), the Assistant Secretary of the Navy (Installations and Environment), and the Assistant Deputy Under Secretary of Defense (Safety and Occupational Health Policy). Final appeal authority for military personnel is Deputy Under Secretary of Defense (Environmental Security). Civilian employees not satisfied with response from DUSD(ES) may contact the Office of Federal Agency Safety Programs, Department of Labor.



Reports to OSHA

- Navy civilian employees may submit complaints directly to DOL OSHA.
- Secretary of Labor encourages employees to use Navy in-house reporting procedures. Fastest means to achieve abatement.
- Reports to DOL OSHA may serve as basis for investigations by OSHA officials.

Responsibilities

- Activity commanders, CO's, OIC shall:
 - Publicize (posting, training) the existence of employee hazard reporting program and notify personnel regarding their rights.
 - Maintain anonymity of personnel making a report if requested.
 - Encourage submission of oral reports.
 - Ensure reporting forms and procedures are available to all personnel.
 - Include safeguards to ensure personnel are not subject to restraint, interference, discrimination, or reprisal for submitting reports.

Where to Get More Information

- Other training sessions
- Visit our website at
www.nasoceana.navy.mil/safety
- OPNAVINST 5100.23F, Chapter 10